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HOUSTON CURBED BY SENATE ACTION ON FOREIGN LOANS

Secretary of the Treasury Agrees to Confer Before Making More Payments.

LEGALITY IN QUESTION

Reed Insists Power Was Not Granted to Executive to Act Independently.

INQUIRY IS NARROWED

Judiciary Committee Not to Take Up Commitments Made Before Armistice.

Special Dispatch to THE NEW YORK HERALD.

New York Herald Bureau, Washington, D. C., Feb. 16.

Before the Secretary of the Treasury makes any further advances of funds to foreign governments on commitments already agreed to he will notify the Senate Judiciary Committee and submit to them the evidence on which these advances are made. This promise was given to the Judiciary Committee to-day by Secretary Houston at a further hearing on the foreign loan situation.

It followed a presentation to the committee of voluminous records of the Treasury Department giving the history of some of the credit balances that have been established in favor of foreign governments on which advances have been made since the signing of the armistice.

Most of the facts adduced already have been made public by Mr. Houston in his annual report. The committee displayed special interest in an advance of \$5,000,000 made to the Government of Czechoslovakia on November 15, four days after the armistice was signed. A credit of \$1,000,000 was written in favor of this Government and \$5,000,000 in cash placed to its credit in the Central Union Trust Company of New York, subject to the order drawn on by checks signed by the foreign government representative to pay for war supplies sold to it by firms in this country. William G. McAdoo was then Secretary of the Treasury and Mr. Lansing, Secretary of State. Both, as well as President Wilson, approved of the extension of credit and the cash advance, and it was stated that the same approval was given to all other credit balances, loans and cash advances to foreign governments.

Insists Loans Are Legal.

Mr. Houston explained in answer to questions that the actual establishment of the credit to Czechoslovakia had been agreed to before the signing of the armistice. Mr. Houston again insisted that all the conduct of the foreign loans was legal and had been authorized in the various Liberty Loan acts. This contention was disputed by Senator Reed (Missouri), Senator Smith (Georgia), and one or two others on the committee, who always have contended that there is no such authority. This still remains in dispute as between the Secretary and the committee.

When a discussion arose whether the committee should continue the hearing while the Senate is in session, Senator Reed said:

"I want all records to show how the Treasury officials tried to get authority to make the payments after the armistice, their failure to get that authority and their action in making the payments even though, as I contend, they did not have that authority."

"If the Secretary will say to us that he will not pay out any more money without notifying this committee, then I am perfectly willing to take all the time we need."

Secretary Houston said he had been incorrectly quoted as saying he was going to pay out more money.

"What I did say," the Secretary added, "is that I do not know whether I shall be called on to make further payments. I have no present inclination to do so. But I do say that my present inclination is to pay out money on these commitments, if evidence is presented to me in connection with a request for further payments, that seems to me to meet the requirements of the law."

"I should give full consideration to the view of those who say the Treasury is without authority to make such payments."

Agrees to Confer With Committee.

"Suppose a foreign Government should ask you for more money," said Senator Brandegee, "and your request should be apparently in proper compliance, would you feel compelled to pay it out in spite of the fact that the Judiciary Committee expressed their view that you had no right to do it?"

"I cannot answer that speculative proposal," the Secretary replied. "I will say, however, that I will give the committee a chance to know the facts if they arise. I will be willing to do that. The Treasury is not anxious to pay out money to anybody. Its attitude has been exceedingly careful both as to the law and the purposes for which money has been paid out. I find difficulty in answering a question which involves a forecast of future events."

"But will you advise with this committee before making any further payments?" asked Senator Reed.

"I will," the Secretary answered.

A long discussion followed as to the kind of documents that the Secretary will be asked to furnish at the hearing next Monday. It was finally agreed to limit the documentary evidence to the commitments involving payments of money made since the armistice was signed and not to go into the enormous sums advanced to France and other allied Governments while the war was in progress.

DOCTOR WHO REMOVED OWN APPENDIX IS O. K.

Promises Statement on Remarkable Operation.

KANE, Pa., Feb. 16.—Dr. Evan O'Neill Kane, who yesterday removed his own appendix in one of the most remarkable surgical operations on record, spent a comparatively easy night and sent word from his bedside to-day that he is further on the road to recovery than he was the day following an operation for the removal of the appendix.

"Just say that I am getting along all right," said the doctor through his nurse. "Maybe a little later on I will have a statement that will be of interest."

It was stated that Dr. Kane, who is 60, has since the operation directed a number of letters and given directions regarding the conduct of his personal affairs and practice.

LOST AVIATOR TURNS UP AFTER MANY PRIVATIONS

Rides Into Sanderson, Tex., on Burro, Having Been Without Food Three Days—Lands in Arid Country When Crankshaft Fails.

SANDERSON, Tex., Feb. 16.—Lieut. Alexander Pearson, Jr., army aviator, who had been missing since February 10, rode into Sanderson to-night. He had been without food for three days and had rode burros, walked, swam and floated down the Rio Grande before reaching here, according to his story.

Pearson said he was forced to land in a desolate area in the Big Bend country. The new crankshaft of his machine failed to work properly, he said, and forced his descent.

"I was forced to land near the Rio Grande after I had gone about 250 miles," Lieut. Pearson said. "My engine went dead and I had to abandon it. There was plenty of gasoline in the tank. The machine is undamaged and is lying near the river."

Not a sign of human habitation was visible. He waited until the water in his engine had cooled, drew off some for drinking purposes and set forth to find some means of communication. He had no food with him.

The next morning a sandstorm almost blinded him as he trudged wearily across the desert. The third day was a repetition of the second, the Lieutenant said. The unabated wind hurried sailing sand into his face and temporarily blinded him. Late in the afternoon he reached the Rio Grande. Too tired to swim, he lay down on the bank and went to sleep.

On the morning of the fourth day Pearson plunged into the river, and with the aid of a floating log, swam downstream. He had been in the water almost an hour, he said, when he saw two ranchmen. They helped him to climb from the water, gave him some food and a burro and escorted him here.

He said he expected to start to-morrow for El Paso, where he will report to aviation headquarters at Fort Bliss. The flier could not say whether he would attempt to expedite his reply to the transcontinental flight, but thought that probably would be decided when he reached El Paso.

SIMONS REPEATS HIS INDEMNITY REFUSAL
Must Refuse to Sign Plan Offered by Allies, Baden Diet Is Told.

By the Associated Press.
BERLIN, Feb. 16.—Dr. Walter Simons, the German Foreign Minister, speaking to-day before the Baden Diet in Karlsruhe, declared that no German statesman should dare call upon the German people to perform a forty-two year agreement under the conditions as prescribed by the Entente in their reparations demands.

"Therefore," Dr. Simons continued, "we must refuse to sign such an undertaking. Germany's situation must become clear within the next few weeks. Two important factors in this clearing up of the situation will be what is Germany's position in Upper Silesia and what are Germany's relations with the United States."

Dr. Simons urged the necessity of a unified foreign policy among the German States.

PARIS, Feb. 16.—Premier Briand will leave for London Sunday morning. Discussing the possible developments of the forthcoming London conference on Eastern affairs, the Temps points out the desirability of knowing beforehand the intentions of the Powers concerning the Sever treaty. The newspaper declares it is not desirable that France should continue to spend money in a struggle in which no French interests are concerned.

LONDON, Feb. 16.—The King has given the use of St. James's Palace for the forthcoming allied conference in London, which will be the occasion of an almost unprecedented gathering of European statesmen. Altogether from twenty-five to thirty countries will be represented by various delegations numbering nearly three hundred persons, all of whom will be as guests of the Government, accommodated in various hotels.

In addition to the two conferences on the Sevres treaty and reparations, there has been fixed for February 27 a conference of ministers of commerce and business experts of several countries.

The Austrian Government has asked the British Government for permission to send the Austrian Chancellor to London with his Ministers of Food and Finance for the purpose of discussing allied assistance to Austria in the shape of credits to stabilize Austria's position, as the scheme proposed at Paris for an international bankers' syndicate to afford aid had failed to materialize.

PARIS PUBLISHERS FIGHT FOR CRITICS
Threaten to Drop Dramatic and Music Articles.

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Special Cable to THE NEW YORK HERALD.
New York Herald Bureau, Paris, Feb. 16.

Dramatic and music criticism in France may be a lost art if the publishers of Paris newspapers, at a meeting called to discuss the court decision against Rene Doumic, editor of the Revue des Deux Mondes, carry out their announced intent. By the decision M. Doumic was required to print a reply by the authors to his criticism of their play. The publishers announced that unless Parliament complies with a request to amend the law, which dates back to Louis XIV, they will discharge their dramatic critics and compel theatres to rely solely on paid advertisements for their publicity.

The trouble started when M. Doumic wrote a criticism of the play "The Persians" of Aeschylus, translated by M. Silvain and M. Joubert. The translators did not like the criticism. They therefore demanded that M. Doumic print their reply to his criticism.

When he refused the translators resorted to the old law which provided that any person whose professional or personal reputation is challenged in any way by a newspaper that person has the right to demand the publication of an equal number of lines to be used in defence of himself. In justification of his criticism of the play which was produced at the Comedie Francaise, M. Doumic said that it was in the interest of literary criticism that he had refused to print the reply. But the court decided that the old law which was intended to protect against libel made no exceptions.

The proposed amendment to the law which the publishers say is the only thing that will save the jobs of France's dramatic critics reads as follows: "Persons presenting, publishing, interpreting or exhibiting a work which is left open to public judgment will not have the right of replying to a criticism unless the journalist criticizing has caused injury to their honor."

SCHWAB RECEIVED BY POPE.
ROME, Feb. 16.—Charles M. Schwab was received by Pope Benedict at a most cordial audience here yesterday. The American steel maker in his talk with the Pontiff recalled visits he had enjoyed with two former Popes, Leo XIII and Pius X, and expressed satisfaction as an American at the new honor conferred upon his country through the creation of Archbishop Dougherty as Cardinal.

Pope Benedict highly praised the nobility and generosity shown by the American nation, as well as by individual Americans.

PROFIT IN SUPPLIES DESPITE PILLAGE

Sold by France for Enough to Pay Cost, Though Pillage Is Charged.

SALE NOT PHILANTHROPY

One Officer Said to Have Forwarded 1,500 Cadillac Automobiles to U. S.

Special Cable to THE NEW YORK HERALD.
Copyright, 1921, by THE NEW YORK HERALD.
New York Herald Bureau, Paris, Feb. 16.

With the first instalment of \$20,000,000 payable to the United States for American army stocks sold to the French Government falling due this month, opposition has developed in the Chamber of Deputies to the payment of this instalment until America's bill for the supplies is revised. The opposition is based on the charge made by French officials, and reported in THE NEW YORK HERALD last week, that American army officers and privates stole millions of francs' worth of these supplies after they had actually been handed over to French control.

Although the Deputies were informed that stocks already sold by France have brought in more than 5,000,000,000 francs, sufficient to cover America's total claim of \$400,000,000, payment of which is spread over twenty years, it is plain that the Chamber does not favor making any payments until the exchange rate returns to the basis of seven francs to the dollar, upon which basis the transaction was negotiated nearly two years ago.

Shouts of "You are right!" greeted a declaration in the Chamber by Emmanuel Brousse, formerly charged with the liquidation of these army stocks, that "it would be unjust to pay for what has actually been stolen by the Americans themselves." M. Brousse asserted that "deductions must be made for the value of all objects diverted after the deal was closed." He confirmed statements made by M. Despas, another Deputy, and which were reported in THE NEW YORK HERALD, regarding alleged pillaging of the army camp by American troops.

1,500 Automobiles Officers' Loot.
"At the moment of the purchase," M. Brousse said, "the stocks were in complete turmoil, and as soon as they were unloaded from the ships they were packed into camp warehouses. From July, 1919, after the sale of the stocks to France, a veritable campaign of looting was organized by Americans remaining in the camps. Privates were not the only culprits. Certain officers committed important robberies. Indeed, one officer forwarded to the United States 1,500 Cadillac automobiles belonging to France."

Mr. Brousse intimated he had about completed a searching investigation into the nature and extent of the merchandise thus stolen. While condemning these alleged thefts by American troops, M. Brousse admitted that the French Government was in part responsible for the losses because of lack of vigilance. For instance, at Camp Clermont, covering an area of 15 square miles, the Americans maintained a guard of 18,000 soldiers, but when the French took over the camp only 800 sentries were posted.

At the same time M. Brousse contended that France would have gained greater profit from the sale of these American army stocks if French middlemen had not started advantage of the American philanthropy in the sale. The Americans sold these stocks to the French Government on a philanthropic basis, in an effort to reduce the cost of living here.

"Naturally we sold the stocks cheap," he continued, "but speculators, on the other hand, resold them at great profit. Let us hear no more of the myth of American philanthropy in the sale. The Americans were business men, and, in reality, they tried to sell to us at the highest possible price."

M. Brousse criticised the granting of priority purchase rights to certain foreign Governments, such as that of the Ukraine, who, after claiming its option, did not carry out the purchase, but left the materials rotting in the camps for more than a year.

Wouldn't Sell to League.
It was revealed that even the League of Nations tried to take advantage of the army camp muddle, but M. Brousse sent the league's representative away crestfallen, refusing to sell to him for the purpose to which he wanted to put the stocks.

"An English diplomatist asked me in the name of the league to supply 6,000,000 francs' worth of goods to facilitate the repatriation of prisoners from central Europe," he said. "Who are those prisoners?" I asked. "Mostly Germans," he replied. "You Frenchmen! To give goods worth 6,000,000 francs to Germany! You will not get a single centime!" I replied.

Amid laughter M. Brousse added: "That is how I sent the League of Nations on its way."

M. Brousse made the startling statement that ships are still arriving from the United States with goods for the French Government which were contracted for during the war, but fine no one at French ports to supervise unloading or to check deliveries. "One vessel," he said, "the Wilfred Laurier, could not unload a cargo of steel and threw it overboard."

M. Brousse was asked by the Ministry of Finance to formulate charges in connection with the alleged theft of army supplies by American troops so that representations might be made to the United States Government through diplomatic channels.

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